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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,084	12/19/2001	Lewis Curtis	06502.0383	8738
7590 01/09/2006				
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, DC 20005-3315		EXAMINER THAI, CANG G		
		ART UNIT PAPER NUMBER 3629		

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/021,084

Applicant(s)

CURTIS ET AL.

Examiner

Cang G. Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0051226 (ZIMMER ET AL).

As for claim 1, ZIMMER discloses a method for providing an integrated, enterprise-wide customer relationship management architecture, comprising:

separating services provided by the customer relationship management architecture into tiers {Page 3, Paragraph [0044], Lines 7-12, wherein this reads over "The central application 30 can contain a series of sub-applications 32, 34, 36 which may or may not be in the same programming language or customized for the same software platform or common hardware systems 18, 28, 20, thereby helping to provide an end-to-end n-tier application 30"}; and

separating hardware and software that host services provided by the customer relationship management architecture into layers {Page 24, Paragraph [0778], Lines 7-11, wherein this reads over "This integrated operational structure is supplied by the subprograms 32, 34, 36 of the application 30, which can be generated for a selected combination of hardware/software platforms in the tiers 14, 16, 26 according to the file 38 parameters 40, 44, as processed by the generator 42"}.

As for claim 2, ZIMMER discloses the method of claim 1, further comprising maintaining systemic qualities {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over "Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms"}.

As for claim 3, ZIMMER discloses the method of claim 2, wherein the systemic qualities are maintained in each of the tiers and in each of the layers {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over "Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms"}.

As for claim 4, ZIMMER discloses the method of claim 1, wherein the tiers comprises at least one of the following: a client services tier, a presentation services tier, a business services tier, an integration services tier, and a resources services tier {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over "Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms"}. This appears as a resources services tier.

As for claim 5, ZIMMER discloses the method of claim 4, wherein the client services tier resides on a client device and manages display and local interaction processing {Page 6, Paragraph [0064], Lines 19-20, wherein this reads over "These COM objects can interact with other customized, client specific COM objects as required to meet client needs"}.

As for claim 6, ZIMMER discloses the method of claim 4, wherein the presentation services tier aggregates and personalizes content and services into channel-specific user interfaces {Page 4, Paragraph [0064], Lines 6-9, wherein this reads over "The parameters 44 can include a selection of middle tier technology 52, which facilitates the separation of business logic of the application presiding in the middle tier 26 from the functionality of the interfaces in the first tier 14"}.

As for claim 7, ZIMMER discloses the method of claim 4, wherein the business services tier executes business logic and manages transactions {Page 4, Paragraph

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[0064], Lines 6-9, wherein this reads over “The parameters 44 can include a selection of middle tier technology 52, which facilitates the separation of business logic of the application presiding in the middle tier 26 from the functionality of the interfaces in the first tier 14”}.

As for claim 8, ZIMMER discloses the method of claim 4, wherein the integration services tier abstracts and provides access to external resources {Page 6, Paragraph [0063], Lines 7-11, wherein this reads over “Set up and implementation of the middle tier 26 components in the central platform application 30 can facilitate hiding details of running multiple transactions from users, as well as managing and pooling resources, to optimize system resources as well as scalability, reliability, and security”}.

As for claim 9, ZIMMER discloses the method of claim 4, wherein the resources services tier comprises at least one of the following: legacy systems, databases, external data feeds, and specialized hardware devices {Page 3, Paragraph [0042], Lines 14-19, wherein this reads over “Database access or user interface devices 18 of the tier 14 can include various data communication devices, such as but not limited to desktops 18a, applets 18b, 18d, wireless hand held devices 18c, mobile computers, pagers, and other PDAs for accessing the data sources 20a, 20b located in the end tier 16”}.

As for claim 10, ZIMMER discloses the method of claim 1, wherein the layers comprises at least one of the following: a hardware platform layer, a virtual platform layer, and an application layer {Page 3, Paragraph [0043], Lines 30-34, wherein this reads over “It should be noted that each of the middle tier 26 components 24, 28a, b

includes a selected platform or software 25, 29a, 29b for coordinating the distribution of the data 20a, b from the end tier 16 to the device 18 of the first tier 14”}.

As for claim 11, ZIMMER discloses the method of claim 10, wherein the hardware platform layer comprises standard computer hardware and an operating system for running the standard computer hardware {Page 3, Paragraph [0044], Lines 7-12, wherein this reads over “The central application 30 can contain a series of sub-applications 32, 34, 36 which may or may not be in the same programming language or customized for the same software platform or common hardware systems 18, 28, 20, thereby helping to provide an end-to-end n-tier application 30”}.

As for claim 12, ZIMMER discloses the method of claim 10, wherein the virtual platform layer comprises standard application program interfaces (APIs) and specifications interfacing the hardware platform layer with the application layer {Page 2, Paragraph [0008], Lines 2-5, wherein this reads over “virtual machine based architecture, wherein virtual instructions are executed by converting them into real instructions which can be executed on the actual machine”}.

As for claim 13, ZIMMER discloses the method of claim 10, wherein the application layer comprises application programs {Page 15, Paragraph [0358], Lines 15-23, wherein this reads over “it should be noted that the above XML code description of the sample user interface 58 contains a series of platform independent widgets 60a,b,c that are represented by the entities contained in the file 38, through which the program generator 42 can use to generate the application 30 on a variety of platforms, which are

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dependent upon the type of parameters 50, 52, 54 that are specified by the program designer”}.

As for claim 14, ZIMMER discloses the method of claim 1, wherein the systemic qualities comprises at least one of the following: agility, availability, scalability, reliability, and manageability {Page 4, Paragraph [0046], Lines 10-12, wherein this reads over “Security, scalability, and reliability parameters can be designed into the application 30 using these input parameters 52”}.

As for claim 15, ZIMMER discloses the method of claim 14, wherein the agility systemic quality is characterized by its ability to functionally accept at least one of the following: development without the aid of a software vendor, to be updated without the aid of a software vendor, and to be customized without the aid of a software vendor {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over “Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms”}.

As for claim 16, ZIMMER discloses the method of claim 14, wherein the availability systemic quality at least comprises to ability to support stateful sessions {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over “Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of



components contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms”}.

As for claim 17, ZIMMER discloses the method of claim 14, wherein the scalability systemic quality at least comprises the ability to support unpredictable surges in demand for network services {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over “Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms”}.

As for claim 18, ZIMMER discloses the method of claim 14, wherein the reliability systemic quality is characterized by its ability to functionally accept standard application program interfaces (APIs) that have been tested for reliability {Page 4, Paragraph [0046], Lines 10-12, wherein this reads over “Security, scalability, and reliability parameters can be designed into the application 30 using these input parameters 52”}.

As for claim 19, ZIMMER discloses the method of claim 14, wherein the manageability systemic quality is characterized by its ability to functionally accept desirable hardware and software components and integrate them into the customer relationship management architecture {Page 24, Paragraph [0778], Lines 7-11, wherein this reads over “This integrated operational structure is supplied by the subprograms 32, 34, 36 of the application 30, which can be generated for a selected combination of

hardware/software platforms in the tiers 14, 16, 26 according to the file 38 parameters 40, 44, as processed by the generator 42”}.

As for claim 20, ZIMMER discloses an integrated, enterprise-wide customer relationship management architecture system, comprising:

tiers associated with services provided by the customer relationship management architecture {Page 3, Paragraph [0044], Lines 7-12, wherein this reads over “The central application 30 can contain a series of sub-applications 32, 34, 36 which may or may not be in the same programming language or customized for the same software platform or common hardware systems 18, 28, 20, thereby helping to provide an end-to-end n-tier application 30”};

layers associated with hardware and software that host services provided by the customer relationship management architecture {Page 24, Paragraph [0778], Lines 7-11, wherein this reads over “This integrated operational structure is supplied by the subprograms 32, 34, 36 of the application 30, which can be generated for a selected combination of hardware/software platforms in the tiers 14, 16, 26 according to the file 38 parameters 40, 44, as processed by the generator 42”};

systemic qualities which are maintained in each of the tiers and in each of the layers {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over “Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components contained in the tiers 14, 16, 26, which can be used by a company to

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integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms”}; and

wherein the tiers, layers, and systemic qualities have an orthogonal relationship { Page 3, Paragraph [0044], Lines 12-18, wherein this reads over “Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms”}.

As for claim 21, ZIMMER discloses the system of claim 20, wherein the orthogonal relationship comprises each of the systemic qualities being provided in at least one of the tiers, each of the tiers having different optimal choices of implementations in at least one of the layers; and each of the layers enabling different strategies associated with at least one of the tiers {Page 16, Paragraph [0370], Lines 8-9, wherein this reads over “other layout options are also available, such as column span, row span, fill, and anchor”}.

As for claim 22, ZIMMER discloses the system of claim 20, wherein the tiers comprise at least one of the following: a client services tier, a presentation services tier, a business services tier, an integration services tier, and a resources services tier {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over “Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components

contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms”}. This appears as a resources services tier.

As for claim 23, ZIMMER discloses the system of claim 20, wherein the layers comprise at least one of the following: a hardware platform layer, a virtual platform layer, and an application layer {Page 3, Paragraph [0043], Lines 30-34, wherein this reads over “It should be noted that each of the middle tier 26 components 24, 28a, b includes a selected platform or software 25, 29a, 29b for coordinating the distribution of the data 20a, b from the end tier 16 to the device 18 of the first tier 14”}.

As for claim 24, ZIMMER discloses the method of claim 20, wherein the systemic qualities comprise at least one of the following: agility, availability, scalability, reliability, and manageability {Page 4, Paragraph [0046], Lines 10-12, wherein this reads over “Security, scalability, and reliability parameters can be designed into the application 30 using these input parameters 52”}.

As for claim 25, ZIMMER discloses a method for providing an integrated, enterprise-wide customer relationship management architecture, comprising:

separating services provided by the customer relationship management architecture into tiers {Page 3, Paragraph [0044], Lines 7-12, wherein this reads over “The central application 30 can contain a series of sub-applications 32, 34, 36 which may or may not be in the same programming language or customized for the same software platform or common hardware systems 18, 28, 20, thereby helping to provide an end-to-end n-tier application 30”};

separating hardware and software that host services provided by the customer relationship management architecture into layers {Page 24, Paragraph [0778], Lines 7-11, wherein this reads over "This integrated operational structure is supplied by the subprograms 32, 34, 36 of the application 30, which can be generated for a selected combination of hardware/software platforms in the tiers 14, 16, 26 according to the file 38 parameters 40, 44, as processed by the generator 42"};

maintaining systemic qualities in each of the tiers and in each of the layers {Page 3, Paragraph [0044], Lines 12-18, wherein this reads over "Accordingly, the central application 30 provides the series of sub-applications 32, 34, 36 to be deployed on various tiers 14, 16, 26 for providing support for a selected combination of components contained in the tiers 14, 16, 26, which can be used by a company to integrate the selected components from the tiers 14, 16, 26 into one working solution on a variety of platforms"}; and

relating the tiers, layers, and systemic qualities orthogonally wherein each of the systemic qualities being provided in at least one of the tiers, each of the tiers having different optimal choices of implementations in at least one of the layers, and each of the layers enabling different strategies associated with at least one of the tiers {Page 16, Paragraph [0370], Lines 8-9, wherein this reads over "other layout options are also available, such as column span, row span, fill, and anchor"}.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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I. U.S. Patent:

- 1) U.S. Patent No. 6,757,720 (WESCHLER, JR) is cited to teach profile service architecture,
- 2) U.S. Patent Application Publication No. 2003/0236925 (BALEK ET AL) is cited to teach interactive portable object adapters support in an integrated development environment,
- 3) U.S. Patent Application Publication No. 2002/0073396 (CRUPI ET AL.) is cited to teach a method and apparatus for developing enterprise applications using design patterns, and
- 4) U.S. Patent Application Publication No. 2003/0009740 (LAN) is cited to teach dual and parallel software development model.

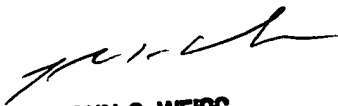
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT  
12/29/2005

  
**JOHN G. WEISS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**